

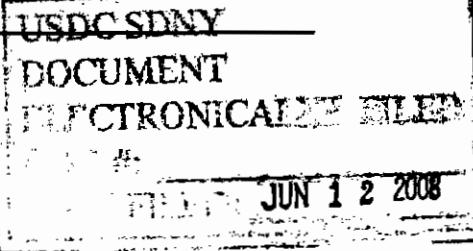


U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 12, 2008

BY FACSIMILE

The Honorable Laura Taylor Swain
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

MEMO ENCLOSED

Re: United States v. Ronald Peteka, 07 Cr. 826
(LTS)

Dear Judge Swain:

The parties respectfully submit this letter in response to the Court's letter dated June 11, 2008. After receiving the Court's letter the parties conferred about the prospect of beginning trial in this matter next week, either on Tuesday, June 17, 2008 or Wednesday, June 18, 2008. Defense counsel is not prepared to proceed to trial next week. Defense counsel anticipates being engaged next week to conduct a trial in state court. Moreover, defense counsel does not anticipate he will be in a position to proceed to trial in this matter in advance of the current trial date of July 23, 2008.

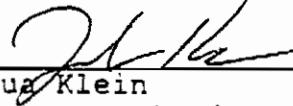
It is the Government's preference, that should the trial date in this matter be moved to an earlier date, that the parties be provided with at least three weeks notice of any new trial date to allow sufficient time for the parties to prepare adequately for trial.

The current control date of
July 23, 2008 will be
maintained. SO ORDERED.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:


Joshua Klein
Assistant United States Attorney
Tel.: (212) 637-2397


LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE

cc: Brian Griffin, Esq.